

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WACOH COMPANY,

Plaintiff,

ORDER

v.

08-cv-456-bbc

CHRYSLER LLC, FORD MOTOR COMPANY,
AMERICAN HONDA MOTOR CO., INC.,
MAZDA MOTOR OF AMERICA, INC.,
GENERAL MOTORS CORPORATION,
VOLKSWAGEN GROUP OF AMERICA, INC.,
BMW OF NORTH AMERICA, LLC, MERCEDES-
BENZ USA, LLC, AMERICAN SUZUKI MOTOR
CORPORATION and ANALOG DEVICES, INC.,

Defendant.

WACOH COMPANY,

Plaintiff,

ORDER

v.

08-cv-691-bbc

CHRYSLER LLC, FORD MOTOR COMPANY,
AMERICAN HONDA MOTOR CO., INC.,
MAZDA MOTOR OF AMERICA, INC.,
GENERAL MOTORS CORPORATION,
VOLKSWAGEN GROUP OF AMERICA, INC.,
BMW OF NORTH AMERICA, LLC, MERCEDES-
BENZ USA, LLC, AMERICAN SUZUKI MOTOR
CORPORATION and ANALOG DEVICES, INC.,

Defendants.

On December 10, 2008 this court held an unscheduled telephonic status conference to discuss what needs to happen next in these lawsuits. The court wants to keep this case on track and has solicited input from any party that wishes to provide it regarding consolidation, intervention, and calendaring.

Consolidation of the two lawsuits is fairly straightforward and can be dealt with on the papers. Of more concern are the proposed intervenors: do they represent the entire universe or are they merely the vanguard of a much larger group of affected entities that may wish to intervene? Although I predict that the Article III judge will allow intervention by those who already have so moved, this cannot be true indefinitely or the calendar for the 456 case will fail. Accordingly, I gave the parties until December 19, 2008 within which to report to the court all known potential suppliers or manufacturers who might seek to intervene in this litigation, and to report whether the suppliers/manufacturers are aware of this litigation and whether they have indicated their intentions. The parties also are invited, if they wish, to provide input on calendaring: can we keep what we've got or are tweaks already necessary? If any party opposes consolidation of the 456 and 691 lawsuits, I invite those parties to offer their proposal on calendaring the later-filed case. Finally, if any party is aware of other issues that affect who will be parties in these lawsuits and what the calendar(s) should be, they should report this information as well. The court will respond as it deems fit to the reports provided.

Entered this 10th day of December, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge